

REMARKS

This application has been carefully reviewed in light of the Office Action dated February 24, 2004. Claims 1 to 3, 5 to 7, and 9 to 28 are in the application, with Claim 1 being the sole independent claim. Claims 23 to 27 have been withdrawn from consideration pursuant to a restriction requirement. Claims 1, 5, 6, 9 and 20 have been amended, and Claim 4 has been cancelled. Reconsideration and further examination are respectfully requested.

Claims 1 to 7, 9 to 22 and 28 were rejected under 35 U.S.C. § 112, second paragraph. The rejection is traversed, and is submitted to have been obviated by the amendment of Claim 1 in a manner believed to avoid the grounds of rejection. Accordingly, withdrawal of the Section 112 rejection is respectfully requested.

Claims 1 to 3, 14, 15, 21, 22 and 28 were rejected under 35 U.S.C. § 102(b) over GB 1 358 345 (GB '345); Claims 4 to 7, 9, 12, 13, and 18 to 20 were rejected under 35 U.S.C. § 103(a) over GB 1 358 345 in view of U.S. Patent No. 4,936,070 (Michaud); and Claims 10, 11, 16 and 17 were rejected over GB '345 and Michaud, and further in view of DE 29 801 546 (DE '546). While Claim 16 was included in the list of claims rejected under Section 102, this claim is only discussed in the context of Section 103; accordingly, the rejection of Claim 16 will be treated as a rejection under Section 103. The rejections are respectfully traversed.

According to one feature of the invention, a water-absorption layer is provided on the second surface side of the plurality of flame resistive fibers.

The Office Action concedes that GB '245 does not disclose this feature. Yet, placing reliance on Michaud, the Office Action asserts that the invention would nevertheless have been obvious. Applicants respectfully disagree.

As shown in Figures 3 and 4 of Michaud, the elastomer membrane (12) and adhesive (14) are not formed on the surface side of the fiberboard (10) which will be adhered to the roof.

Applicants submit that there is no motivation or suggestion to apply Michaud's elastomer membrane (12) and adhesive (14) to the surface side of GB '345's fiber blanket (24) which will be adhered to the roof, i.e., the surface side which, according to the Examiner, corresponds to the second surface side of the present invention.

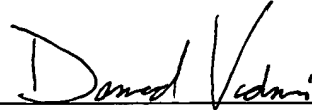
DE '546 is not seem to remedy the deficiencies of GB '345 and Michaud. Applicants therefore conclude that the applied documents do not teach or suggest the claimed invention, and it is respectfully requested that the Section 102 and 103 rejections be withdrawn.

With regard to non-elected Claims 23 to 27, rejoinder of these claims pursuant to MPEP § 821.04 is respectfully requested.

No other matters being raised, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Damond E. Vadnais", is written over a horizontal line.

Attorney for Applicants
Damond E. Vadnais
Registration No. 52,310

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

DEV/vc

DC_MAIN 166741v1